

1 D. JAMES TREE
2 Attorney At Law
3 Tree Law Offices
4 3711 Englewood Avenue
Yakima, WA 98902
Telephone: (509) 452-1700
Fax: (509) 577-9109

5 Attorney for Plaintiff

THE HONORABLE DAVID W. CHRISTEL

6
7 **UNITED STATES DISTRICT COURT**
WESTERN DISTRICT OF WASHINGTON

8
9 LIZETH AVILA, } CIVIL NO: 2:20-00167-DWC
10 Plaintiff, }
11 vs. } ORDER FOR ATTORNEY FEES
12 COMMISSIONER OF SOCIAL }
13 SECURITY }
14 Defendant }
15

16 It is hereby ORDERED that Plaintiff is awarded attorney fees in the amount
17 \$ 4,218.11 pursuant to the Equal Access to Justice Act, 28 U.S.C. 2412. However,
18 Plaintiff's EAJA fees are subject to a United States Department of Treasury offset
19 as described in *Astrue v. Ratliff*, 130 S.Ct. 2521 (2010). The Commissioner is
20 directed to contact the U.S. Department of Treasury after this Order is entered to
21 determine if the EAJA Award is subject to any offset. If the U.S. Department of
22 the Treasury verifies to the Office of General Counsel that Plaintiff does not owe a
23
24

25 ORDER FOR ATTORNEY FEES [2:20-00167-DWC] - 1

Tree Law Office
3711 Englewood Ave.
Yakima, WA 98902
Phone: 509-452-1700

1 debt and is not subject to any offset, the government shall pay the EAJA Award
2 directly to D. James Tree, Plaintiff's counsel. If there is an offset, any remainder
3 shall be made payable to Plaintiff, based on the Department of the Treasury's
4 Offset Program and standard practices, and the check shall be mailed to Plaintiff's
5 counsel at 3711 Englewood Avenue, Yakima, Washington 98902.
6

7 DATED this 9th day of September, 2020.
8



9
10 David W. Christel
11 United States Magistrate Judge
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Presented by:

S/ D. JAMES TREE, WSBA#1697

Attorney for Plaintiff

1
2
3
4 **CERTIFICATE OF SERVICE**
5
6

7 I hereby certify that the foregoing Proposed Order for Attorney Fees was
8 filed with the Clerk of the Court on August 25, 2020, using the CM/ECF system
9 which will send notification of such filing to the following: Kerry Jane Keefe,
10 Assistant U.S. Attorney and Shata Stucky, Office of the General Counsel.
11
12
13

14 s/ D. JAMES TREE
15 Attorney for Plaintiff
16 Yakima, Washington 98902
17 3711 Englewood Ave.
18 Telephone: (509) 452-1700
19 Fax: (509) 577-9109
20
21
22
23
24
25